

**REMARKS/ARGUMENTS**

The Office Action mailed September 28, 2004 has been reviewed and carefully considered. The Examiner's reconsideration is respectfully requested in view of the above amendments and the following remarks.

Claims 13-14 and 17-18 have been cancelled without prejudice. Claims 1, 5, 7, 11, 15, and 19 have been amended. New Claims 21-24 have been added. Claims 1-12, 15-16, and 19-24 are pending in the present application.

Claims 1-4 and 7-10 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Haskell et al. (hereinafter "Haskell") and Demos in view of Yim. Claims 5, 11, 15, and 19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Haskell and Demos in view of Wilkinson. Claims 13-14 and 17-18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Haskell and Demos and Wilkinson in view of Yim. Claims 16 and 20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Haskell, Demos, Wilkinson and further in view of Michener.

As noted above, Claims 13-14 and 17-18 have been cancelled.

It is respectfully asserted that none of the cited references teach or suggest "**the reference frames excluding any B frames; remapping the temporal references of only the reference frames while ignoring the non-reference frames to provide backwards compatibility of the reference frames for a subsequent MP@ML decoding process despite a presence of the non-reference frames**" as now recited in independent Claim 1.

Also, it is respectfully asserted that none of the cited references teach or suggest “**the reference frames excluding any B frames; remapping the temporal references of only the reference frames** so that the reference frames are all consecutively numbered **while ignoring the non-reference frames to provide backwards compatibility of the reference frames for a subsequent MP@ML decoding process despite a presence of the non-reference frames**”, as now recited in independent Claim 5.

Moreover, it is respectfully asserted that none of the cited references teach or suggest “**the reference frames excluding any B frames, and for remapping only the temporal references of the reference frames while ignoring the non-reference frames to provide backwards compatibility of the reference frames for a subsequent MP@ML decoding process despite a presence of the non-reference frames**”, as now recited in independent Claim 7.

Further, it is respectfully asserted that none of the cited references teach or suggest “**the reference frames excluding any B frames, and for remapping the temporal references of only the reference frames while ignoring the non-reference frames so that the reference frames are all consecutively numbered and to provide backwards compatibility of the reference frames for a subsequent MP@ML decoding process despite a presence of the non-reference frames**”, as now recited in independent Claim 11.

Thus, to summarize, Claims 1, 5, 7, and 11 remap the temporal references of only reference frames (which, by explicit limitation, exclude any B frames) while ignoring non-reference frames to provide backwards compatibility of the reference frames for an MP@ML decoding process despite the presence of non-reference frames.

The Examiner has erroneously cited column 9, lines 61-67 of Haskell as disclosing that “B-frames are ignored during the frame reorganization while I and P frames are processed first” (Office Action, mailed September 28, 2004, p. 11). However, the cited portion of Haskell is directed to frame storage prior to MOTION ESTIMATION AND MOTION COMPENSATION and not to TRANSPORT in accordance with the present invention, that is, remapping of temporal references of the reference frames prior to PACKETIZING the reference frames (with a Base PID) to provide a base transport bitstream as essentially recited in Claims 1, 5, 7, and 11. The processes of motion estimation and motion compensation do not “remap temporal references” as recited in Claims 1, 5, 7, and 11, but rather generate motion data (e.g., a motion vector). Moreover, TRANSPORT is a POST motion compensation or motion estimation step/layer. Note that all of Claims 1, 5, 7, and 11 recite, *inter alia*, a base TRANSPORT bitstream and Claims 7 and 11 further recite, *inter alia*, a TRANSPORT packetizer.

Moreover, while Wilkinson discloses that a “frame reorder 80 ... reorder[s] the pictures so that each picture is within the GOP is compressed after those pictures on which it depends” (Wilkinson, col. 1, lines 39-45), such disclosure relates to compression and is not provided in the context of a base bitstream and an enhancement bitstream or with respect to backwards compatibility for an MP@ML decoding process as essentially recited in Claims 1, 5, 7, and 11.

Accordingly, independent Claims 1, 5, 7, and 11 are patentably distinct and non-obvious over the cited references for at least the reasons set forth above.

Claims 2-5 depend directly from Claim 1 and, thus, include all of the limitations of Claim 1. Claims 6 and 15-16 depend directly from Claim 5 and, thus, include all of

the limitations of Claim 5. Claims 8-10 and 12 depend directly from Claim 7 and, thus, include all of the limitations of Claim 7. Claims 19-20 depend directly from Claim 11 and, thus, include all of the limitations of Claim 11. Accordingly, Claims 2-5 and 19-20 are patentably distinct and non-obvious over the cited references for at least the reasons set forth above with respect to Claims 1 and 11, respectively. Moreover, Claims 6 and 15-16 are patentably distinct and non-obvious over the cited references for at least the reasons set forth above with respect to Claim 5. Further, Claims 8-10 and 12 are patentably distinct and non-obvious over the cited references for at least the reasons set forth above with respect to Claim 7.

Thus, reconsideration of the rejections is respectfully requested.

As noted above, new Claims 21, 22, 23, and 24 have been added. Claims 21, 22, 23, and 24 depend directly from Claims 1, 5, 7, and 11, respectively, and, thus, include all of the limitations of Claims 1, 5, 7, and 11, respectively. Accordingly, new Claims 21, 22, 23, and 24 are patentably distinct and nonobvious for at least the same reasons set forth above with respect to Claims 1, 5, 7, and 11, respectively.

In view of the foregoing amendments and remarks, it is respectfully submitted that claims 1-12, 15-16, and 19-24 are patentable and nonobvious over the cited references. Consequently, the Applicant respectfully requests reconsideration and withdrawal of the rejections and allowance of the application. Such early and favorable action is earnestly solicited.

All issues raised by the Examiner having been addressed, reconsideration of the rejections and an early and favorable allowance of this case is earnestly solicited. If any additional fees or charges are due, please charge the additional fees or charges to Deposit Account 07-0832.

Respectfully submitted,



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